

PETITION FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED PATENT APPLICATION 37C.F.R. §1.137(b)		Docket No. C0011/7004
Applicant:	Skott C. Klebe	
Serial No:	10/616,379	
Filed:	July 9, 2003	
For:	METHOD AND APPARATUS FOR DISTRIBUTING SECURE DIGITAL CONTENT THAT CAN BE INDEXED BY THIRD PARTY SEARCH ENGINES	
Examiner:	Leynna A. Ha	
Art Unit:	2135	

Box DAC
 Assistant Commissioner for Patents
 Washington, DC 20231
 Attention: Office of Petitions

The above-identified application became abandoned for failure to timely file a REQUEST TO RESCIND PREVIOUS NONPUBLICATION REQUEST UNDER 35 U.S.C. §122(b)(2)(B)(ii). The abandonment date of this application is February 2, 2005 (i.e., the day after the expiration date of the period set for filing the rescission request). **Applicant hereby petitions for revival of this application.**

Small Entity

- Applicant claims small entity status.
- Small entity status is not longer claimed.

Statement

This non-provisional application was filed on July 9, 2003, at which time a Request for Non-Publication was simultaneously filed. The assignee and their respective counsel filed a foreign application on December 18, 2004 in Europe as a divisional of a previously-filed European application. That European divisional application claimed subject matter contained in the present application. During a recent review of the file of the present application, applicant's attorney realized that a Request to Rescind Non-Publication Request was never filed. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

1. Petition fee

- Small entity-fee **\$750.00**. Applicant claims small entity status. See 37 C.F.R. §1.27.
- Other than small entity – fee **\$1,500.00** (37 C.F.R. §1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of
 - has been filed previously on _____.
 - is enclosed herewith.
- B. The issue fee of and publication fee (if applicable) of \$1,400.00:
 - has been filed previously on _____.

is enclosed herewith.

3. Terminal Disclaimer

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of **\$65.00** for a small entity or **\$130.00** (for other than a small entity) disclaiming the required period of time is enclosed herewith.

4. Fee Calculation

Petition fee (37 CFR 1.17(m))	\$1,500.00
Terminal Disclaimer Fee	\$0.00
Issue Fee (if applicable)	\$0.00
Reduction by one-half for small entity	<u>\$750.00</u>
TOTAL Fee Due	\$750.00

5. Payment

- The total fee is being paid by an electronic funds transfer.
- Check in the amount of the total filing fee.
- Charge Account No. 50-3969 in the amount of the total filing fee. A duplicate of this transmittal sheet is attached.

Authorization to Charge Additional Fees

- The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 and §1.17 required by the attached paper and during the entire pendency of this application to Account No. 50-3969.

/paul e. kudirka/

Date: 2007-07-26

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